

Claim No.	Support in Specification
18	original claim 10
19-20	page 25, lines 9-13
21	page 12, lines 6-10; original claim 14
22-23	page 25, lines 1-8
24	page 12, lines 4-6; original claim 10
25-27	page 37, line 19 through page 38, line 4
28-29	page 33, lines 4-14
30-31	page 34, lines 6-20

I. Summary of the Office Action

1. The Restriction Requirement was deemed final by the Examiner despite Applicants' timely traversal. Claims 1-6 were withdrawn from consideration while claims 7-14 are currently pending.
2. Claims 7-14 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3-9 of U.S. Patent 5,905,027.
3. Claims 7-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sontheimer *et al.*, (1997) (WO 97/24619).
4. Claims 7-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ullrich *et al.*, (1999) (U.S. Patent 5,905,027).

II. Response to the Office Action

Applicants have canceled claims 7-14 and added new claims 15-31 to better define the invention.

III. Rejection based on Obviousness-type Double Patenting

Claims 7-14 have been canceled, therefore the rejections are moot. Applicants respectfully contend, however, that claims 3-9 of U.S. Patent 5,905,027 do not claim a method for detecting small cell carcinoma of the lung nor melanoma as required in the claims.

IV. Rejections based on 35 U.S.C. § 102

Claims 7-14 have been canceled, therefore the rejections are moot. Applicants respectfully submit, however, that neither Sontheimer *et al.*, (1997) or Ullrich *et al.*, (1999) describe a method for detecting small cell carcinoma of the lung nor melanoma as required in the claims, and therefore, cannot anticipate the claims herein amended.

V. Conclusion

The foregoing amendments and remarks are being made to place the application in condition for allowance. Applicants respectfully request reconsideration and the timely allowance of the pending claims. A favorable action is awaited.

Should the Examiner find that an interview would be helpful to further prosecution of this application, he is invited to telephone the undersigned at his convenience.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: **January 9, 2001**
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Respectfully submitted
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